

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 1579-601

C# M#

HAYNES, Barton F.

Group Art Unit: 1644

Serial No. 09/956,940

Examiner: Schwadron, R.

Filed: September 21, 2001

Date: December 12, 2003

Title: USE OF SYNTHETIC PEPTIDES TO INDUCE TOLERANCE TO PATHOGENIC T
AND B CELL EPITOPES OF AUTOANTIGENS OR INFECTIOUS AGENTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 Correspondence Address Indication Form Attached.**Fees are attached as calculated below:**

Total effective claims after amendment	0	minus highest number		
previously paid for	20	(at least 20) =	0	x \$ 18.00

Independent claims after amendment	0	minus highest number		
previously paid for	3	(at least 3) =	0	x \$ 86.00

If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper)

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months)

Terminal disclaimer enclosed, add \$ 110.00

First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00)
 Please enter the previously unentered , filed
 Submission attached

Subtotal \$ 0.00

If "small entity," then enter half (1/2) of subtotal and subtract
 Applicant claims "small entity" status. Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00)

Assignment Recording Fee (\$40.00)

Other: 0.00

TOTAL FEE TO BE DEBITED \$ 180.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

HAYNES, Barton F.

Serial No. 09/956,940

Filed: September 21, 2001

Confirmation No. 4369

Atty. Ref.: 1579-601

Group: 1644

Examiner: Schwadron, R.

For: USE OF SYNTHETIC PEPTIDES TO INDUCE
TOLERANCE TO PATHOGENIC T AND B CELL
EPITOPEs OF AUTOANTIGENS OR INFECTIOUS
AGENTS

* * * * *

Commissioner for Patents
P.O. Box 1450
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December 12, 2003

Sir:

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1. **PTO-1449 Pursuant to 37 CFR 1.97(b)**
[within 3 months of filing or prior to 1st Office Action on the merits]
N/C
- 2.(a) **Statement Pursuant to 37 CFR 1.97(c)**
[before Final Office Action or Allowance (requires Rule 97(e)
Statement or Rule 17(p) fee)]
N/C
- 2 .(b) **Fee Payment Pursuant to 37 CFR 1.97(c)**
[before Final Office Action or Allowance (requires Rule 97(e)
Statement or Rule 17(p) fee)]
\$180.00
3. **Pursuant to 37 CFR 1.97(d)**
[after Final Office Action or Allowance (requires Rule 97(e)
Statement and Rule 17(p) fee), but before final fee payment]
\$180.00

The following are submitted in the above-identified application in compliance with
37 C.F.R. §§ 1.97 and 1.98:

HAYNES, Barton F.
Serial No. 09/956,940
December 12, 2003

4. A list of documents on Form PTO-1449 together with copies* of each identified document and a translation or a concise explanation of each non-English language document (such as a Search Report) is enclosed herewith.

This paper is submitted in accordance with:

5. 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]
6. 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier]; and
- a) The required Statement made in item 8 below; or
- b) The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 9 below.
7. 37 CFR §1.97(d): [after Final Office Action or Allowance (requires Rule 97(e) Statement and Rule 17(p) fee), but before final fee payment]; and
- a) The fee (\$180.00) required by 37 CFR §1.17(p) is submitted herewith; and
- b) The required Statement is stated in item 8 below.
8. Statement under 37 CFR 1.97(e)
- a) The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (each item contained in this IDS was the first citation of that item by a foreign patent office in a counterpart foreign application which occurred no more than three months prior to the filing of this IDS); or
- b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

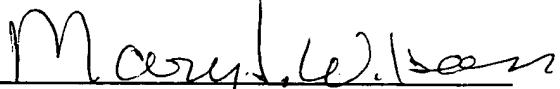
* Except for Hu et al (Nature 1986), Fox and Butini et al – as noted on the PTO-1449 Form (page 3), copies can be found in the identified application.

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December 12, 2003

9. Please charge all deficiency fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

Respectfully submitted,
NIXON & VANDERHYE P.C.

By:



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INFORMATION DISCLOSURE

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CITATION E

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09/956,940

APPLICANT

HAYNES, Barton F.

FILING DATE

GROUP

(Use several sheets if necessary)

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PATENT & TRADEMARK OFFICE

September 21, 2001

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U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,812,556	3/1989	Vahlne et al			
	4,659,678	4/1987	Forrest et al			
	4,520,113	5/1985	Gallo et al			
	4,956,273	9/1990	Kennedy et al			
	4,725,669	2/1988	Essex et al			

FOREIGN PATENT DOCUMENTS

DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	NO
0 255 190	2/1988	EPO				
WO 87/02775	5/1987	WIPO				
WO 91/04051	4/1991	WIPO				
WO 88/05783	8/1988	WIPO				
0 273 716	7/1988	EPO				
WO 91/04273	4/1991	WIPO				

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

	Hart et al, "Synthetic Peptides Containing T and B Cell Epitopes from Human Immunodeficiency Virus Envelope gp120 Induce Anti-HIV Proliferative Responses and High Titers of Neutralizing Antibodies in Rhesus Monkeys", <i>The Journal of Immunology</i> 145(8): 2677-2685 (1990)
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Examiner _____ Date Considered _____

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Form PTO-FB-A820 (Also PTO-1449)

INFORMATION DISCLOSURE CITATION		ATTY. DOCKET NO.	SERIAL NO.
		1579-601	09/956,940
(Use several sheets if necessary)		APPLICANT	
		HAYNES, Barton F.	
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		September 21, 2001	1644
OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)			
*EXAMINER INITIAL			
	Krohn et al, "Specific cellular immune response and neutralizing antibodies in goats immunized with native or recombinant envelope proteins derived from human T-lymphotropic virus type IIIB and in human immunodeficiency virus-infected men", Proc. Natl. Acad. Sci. USA 84:4994-4998 (1987)		
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*EXAMINER INITIAL			
	Hu et al, "Expression of AIDS virus envelope gene in recombinant vaccinia viruses", Nature 320(6062):537-540 (1986) – cited in parentmost Application No. 07/093,854 – Abstract attached hereto		
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<p>*EXAMINER INITIAL</p> <p>Takai et al, "Prokaryotic Expression of the Thyrotropin Receptor and Identification of an Immunogenic Region of the Protein Using Synthetic Peptides", Biochemical and Biophysical Research Communications 179(1):319-326 (1991)</p> <p>Piraphatdist et al, "Possible Binding Site of Thyrotropin Binding Inhibitor Immunoglobulin (TBII) on the Thyrotropin (TSH) Receptor, Which is Different from TSH Binding Site", Biochemical and Biophysical Research Communications 172(2):529-536 (1990)</p> <p>Hendricks et al, "Alterations in the Antigenic Structure of Two Major HSV-1 Glycoproteins, gC and gB, Influence Immune Regulation and Susceptibility to Murine Herpes Keratitis", The Journal of Immunology 142(1):0263-0269 (1989)</p> <p>Weigle, "The Role of the Physical State of Human Gamma Globulin in the In Vivo and In Vitro Induction of Immunological Tolerance", eds. Sercarz and Berzofsky, CRC Press, Inc. Boca Raton, Florida, Immunogenicity of Protein Antigens: Repertoire and Regulation Vol. II, Chapter 5G, pgs. 51-57</p> <p>Gahring and Weigle, "The Regulatory Effects of Cytokines on the Induction of a Peripheral Immunologic Tolerance in Mice", The Journal of Immunology 145(5):1318-1323 (1990)</p> <p>Milich et al, "Distinction Between Immunogenicity and Tolerogenicity Among HbcAg T Cell Determinants", The Journal of Immunology 143(10):3148-3156 (1989)</p> <p>Sprent et al, "T Cell Reactivity to MHC Molecules: Immunity Versus Tolerance", Science 248:1357-1363 (1990)</p> <p>Lee and Sehon, "Suppression of Reaginic Antibodies with Modified Allergens", Int. Archs Allergy Appl. Immun. 56:159-170 (1978)</p> <p>Lee and Sehon, "Suppression of Reaginic Antibodies with Modified Allergens", Int. Archs Allergy Appl. Immun. 56:193-206 (1978)</p> <p>Wie et al, Suppression of Reaginic Antibodies with Modified Allergens", Int. Archs Allergy Appl. Immun. 64:84-99 (1981)</p> <p>Lee et al, Suppression of Reaginic Antibodies with Modified Allergens", Int. Archs Allergy Appl. Immun. 64:100-114 (1981)</p> <p>Abuchowski et al, "Alteration of Immunological Properties of Bovine Serum Albumin by Covalent Attachment of Polyethylene Glycol", The Journal of Biological Chemistry 252(11):3578-3581 (1977)</p> <p>Abuchowski et al, "Effect of Covalent Attachment of Polyethylene Glycol on Immunogenicity and Circulating Life of Bovine Liver Catalase", The Journal of Biological Chemistry 252(11):3582-3586 (1977)</p> <p>Abuchowski et al, "Cancer Therapy with Chemically Modified Enzymes. I. Antitumor Properties of Polyethylene Glycol-Asparaginase Conjugates", Cancer Biochem. Biophys. 7:175-186 (1984)</p> <p>Williams, "T Cell Inactivation Linked to Ras Block", Science 271:1234 (1996)</p> <p>Lin et al, "Inhibition of Nuclear Translocation of Transcription Factor NF-KB by a synthetic Peptide Containing a Cell Membrane-permeable Motif and Nuclear Localization Sequence", The American Society for Biochemistry and Molecular Biology, Inc. 270(24):14255-14258 (1995)</p> <p>Edgington, "How Sweet It is: Selectin-Mediating Drugs", Bio/Technology 10:383-389 (1992)</p> <p>Fahey and Schooley, "Status of immune-based therapies in HIV infection and AIDS", Clin. exp. Immunol. 88:1-5 (1992)</p> <p>Woodrow et al, "p21^{ras} Function Is Important for T Cell Antigen Receptor and Protein Kinase C Regulation of Nuclear Factor of Activated T Cells", The Journal of Immunology 150(9):3853-3861 (1993)</p> <p>Björling et al, "Hyperimmune antisera against synthetic peptides representing the glycoprotein of human immunodeficiency virus type 2 ca mediate neutralization and antibody-dependent cytotoxic activity", Proc. Natl. Acad. Sci. USA 88:6082-6086 (1991)</p>			

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*EXAMINER INITIAL			
	Sanchez-Pescador et al, "Nucleotide Sequence and Expression of an AIDS-Associated Retrovirus (ARV-2)", Science 227:484-492 (1985)		
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A circular stamp with a double-line border. The words "O I P E" are at the top, "S C I T T" are on the right side vertically, "DEC 12 2003" is in the center, and "P U B L I C O F F I C E" are on the left side vertically.

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***Examiner**

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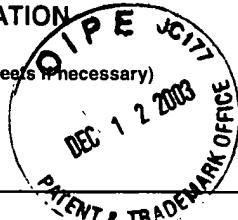
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INFORMATION DISCLOSURE
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Atty. Docket No.	Serial No.
1579-601	09/956,940
Applicant	
HAYNES, Barton F.	
Filing Date	Group
September 21, 2001	1644

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*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
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TRANSLATION

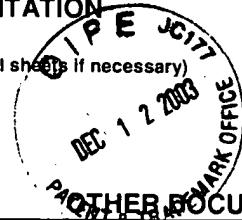
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WO 94/26785 ✓	11/1994	WIPO				
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APPENDIX

(Use several sheets if necessary)

HAYNES, Barton F.

FILED DATE

GROUP

September 21, 2001

1644

U.S. PATENT DOCUMENTS



FOREIGN PATENT DOCUMENTS

ENGLISH ABSTRACT

	DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	YES	NO
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<input checked="" type="checkbox"/>	WO 02/08716	1/2002	WIPO			X	
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<input checked="" type="checkbox"/>	0 327 180	8/1989	EPO				

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